DESCRIPTION OF 16.2 ACRES, MORE OR LESS, LYING IN MACHINA, PIERGE COUNTY, VASHINGTON (PARKING PACILITIES FOR STATTLE-TACOMA SRIPBUILDING CORPORATION)

All that land lying and being situate in the City of Tacoma, County of Pierce, State of Washington, more particularly described as follows:

TRACT 1

the Southeasterly line of East Eleventh Street and the Southwesterly line of Alexander Avenue; thence Southeasterly with said Southwesterly line of Alexander Avenue 180 feet, more or less to the mest Southeasterly line of Lot 26, said point being the true point of beginning; thence sontinuing Southeasterly with said Southwesterly line 880 feet; to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Morthwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the Southeasterly line of Let 13; thence Eortheasterly with the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 80, 21, 22, 23, 24, 25 and 26 to the point of beginning, containing 8.1 sores, more or less.

TRACT S

Commencing at the point of intersection of the prolongation of the Southeasterly line of East Eleventh Street and the Northeasterly line of Alexander Avenue; thence Southeasterly with the Eartheasterly line of Alexander Avenue 120 feet to the Southeasterly line of Mick 30 said point being the point of beginning; thence Southeasterly with the Hertheasterly line of Alexander Avenue 880 feet to a point; thence Hortheasterly parallel to the Southeasterly line of East Eleventh Street 400 feet to a point; thence Southeasterly revealed to the Hortheasterly line of Alexander Avenue 880 feet to the most Easterly corner of Lot 45; thence Southeasterly with the Southeasterly lines of Lots 45, 42, 41, 40, 30, 38, 87, 36, 35, 34, 35, 38, 81 and 30, a distance of 400 feet to the point of beginning, acontaining 8.1 seres, mose or less.

as delineated on that certain plat entitled, Tlands to be

the the bullet belong at American lying in females

DEPARTMENT OF JUSTICE

Reproduced at the National Archives-Pacific NW Region

WASHINGTON, D. C.

R.II_HA

33-49-405-2

January 21, 1943

Unief, Bureau of Tards and Docks Real Estate Division Navy Department Washington, D. C.

Dear Sir:

Reference is made to the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., No. 467 in the United States District Court for the Western District of Washington, Southern Division, instituted in accordance with the request of your Department to acquire a term for years in certain land for the extension of the facilities of the Seattle-Tacoma Shipbuilding Corporation.

Enclosed herewith for your files you will find a certified copy of the petition for condemnation and order of possession entered in this proceeding, together with a certified copy of the notice and summons returnable on February 15, 1943.

> Respectfully, For the Attorney General

Ra. Cr. 1/31/43

EDWARD WILLIAMS g Head, Lands Division

> FILE - PLANE ENTATE FILES FEB 8 ENTO

Enc. No. 692233

235431



UNITED STATES OF AMERICA FESTERN DISTRICT OF WASHINGTON

JOHN F. FISHBURNE, being first duly sworn, on oath deposes and says: That he is a Special Attorney for the Department of Justice, and as such official makes this verification for and on behalf of the United States, petitioner herein; that he has read the foregoing petition, knows the contents thereof, and the same is true of his own knowledge except as to matters which are therein strted on his information and belief; the source of affiant's information and the grounds for his belief are the efficiel communications, records, files and documents received from the Attomer General of the United States and from the Newy Department of the United States, and as to those matters he believes the foregoing petition to be true.

SUBSCRIBED and SPORM to before me this _____ day of December, 1942.

Deputy Clerk, United States District Court, Festern District of Veshington.

The foregoing is a full, true and correct copy of the within instrument WITNESS my hand and official scal this / day JUDSTN W. SHOREFT BOOK

10 my

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE VISITED DISTRICT OF VISHINGTON SOUTHERN DIVISION

UNITED STATES OF AMERICA.

Petitioner,

-V1-

TACOMA H/RBOR LUMBFR COMPANY, a confidential UNRIZ COMPANY, a corporation; CITY OF TACOMA, a municipal corporation; PORT OF TACOMA; FIERCE COUNTY, a municipal corporation;

Also all other persons or parties unknown claiming any right, title, estate, liem, or interest in the real estate described herein, or any portion thereof.

Perpondents.

NO. 467

PITITION FOR CONTEMBATION

Spiedz

Now comes the United States of America by F. P. Kesman, Special Assistant to the Attorney General of the United States of America, and John V. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice, at the direction and under the authority of the Attorney General of the United States pursuant to the request of the Acting Secretary of the Navy of the United States of America, and represent unto the Court as follows:

I.

This proceeding is instituted under and in accordance with the Act of Congress approved Herch 27, 1942 (Public Law 507, 77th Congress, which act authorizes the acquisition of land for military or other var purposes, and the Act of February 7, 1942 (Public Law 441, 77th Congress), which Act approprieted funds for such purposes.

n.

That a state of war at the date of the institution of this proceeding excitted and still exists between the United States of America and the Kingdom of Japan, the Kingdom of Garmany and the Kingdom of Italy.

III.

That the Acting Secretary of the Navy of the United States of

.

Americe, acting under the authority vested in him by said Acta of Congress, has determined that in his opinion it is necessary and advantageous to acquire for the United States of America a Resembld interest in certain lands hereinafter described, by condemnation under judicial process for wer purposes, to-vit, to be used in connection with the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Yashington.

IV.

That the Acting Secretary of the Navy of the United States of America has further determined that immediate possession of the property hereinafter described is necessary to aid in the successful presention of the war between the United States of America and Japan, Germany and Italy.

٧.

The land in which a lesschold interest is sought and taken pares segregates 16.2, more or less, signate in Pierce County, First of Vashington, being the asea to be utilised for the expansion of the Scattle Tacoma Shipbuilding Company facilities, Tacoma, Fashington, and more particularly described as follows:

Treet No. 1:

Commencing at the point of intersection of the extensions of the Southeasterly line of Mass Eleventh Street and the Southeasterly line of Alexander Avenue; thence Southeasterly with said Southwesterly line of Alexander Avenue 120 feet, more or less, to the Southeasterly line of Lot 26, said point being the true point of beginning; themse continuing Southeasterly vith said Southwesterly line \$80 feet to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Morthwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of \$80 feet to a point on the Southeasterly line of Lot 13; thence Mortheasterly with the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing \$.1 acres, more or less.

Tract No. 21

Commencing at the point of intersection of the prolongation of the Southeasterly line of Fast Eleventh Street and the Northeasterly line of Alexander Avenue; thence Southeasterly with the Northeasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence Southeasterly with the Northeasterly line of Alexander Avenue 880 feet to a point; thence Northeasterly parallel to the Southeasterly line of Fast Eleventh Street 400 feet to a point; thence Northwesterly line of Alexander Avenue 880 feet to the most Easterly corner of Lot 43; thence Southeasterly with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 8. 1 acres, more or less.

VI.

The estate sought to be condemned in said land for the public use eforesaid is a leasehold interest/and to said lands for the period ending June 30, 1943, with a right to renew annually for the duration of the present states of war and one year thereafter.

VII.

That this potition has made all persons, as far as ascertained, perties to these proceedings but petitioner also makes parties hereto all persons and corporations unknown owning or claiming to have any right, title, interest or estate in, or liem, encumbrance, servitude, ensement, charge, demand, claim or covement on or in respect to the property hereinbefore described.

VIII.

That the Acting Secretary of the Eavy of the United States of America has made application to the Attorney General of the United States to cause the necessary proceeding to be instituted for the acquicition of a lessehold interest for the period ending June 30, 1943, with a right to remove annually for the duration of the present states of var and one

year thereafter, in the lands hereinbefore described.

II.

That the petitioner, the United States of America, has done and performed every not and thing required by law to be done by said petitioner as a condition precedent to the beginning and maintaining of this action; that the object for which this proceeding is brought is for the purpose of escertaining the just compensation for the taking of a lease-hold interest in the property described in this petition.

VHIREFORE, the petitioner prays that the purpose of this condemnation be adjudicated to be a public use; that a jury be empended to
fix and determine a just and proper award and compensation for the taking
of a leasahold interest and use/the property herein described, or in case
a jury be vaived, then that the compensation to be made as aforesaid be
ascertained and determined by the Court or a Judge thereof; that the
Court determine the parties entitled to the sum avarded as just compensation for the taking of said lend, and upon payment to or into the Registry
of the Court for the use of the parties entitled, of the sum adjudged to
be just compensation for the taking of a leasahold interest in the lands
condemned, to adjudge and decree that a leasahold interest in said lands
is acquired by the United States of America; that possession of said property
havein be given to the petitioner immediately, and that the Court grant
such other and further relief as may be leaful and proper.

P. P. Kemmn Special Assistant to the Attorney General

Special Attorney, Department of Justice

Oliver Helm Special Attorney, Department of Justice

1 copy

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE PESTERN DISTRICT OF VASHINGTON SOUTHERN DIVISION

UNITED STATES OF AMERICA.

Petitioner.

-VB-

TACOMA HARBOR LUMBER COMPANY, a corporation;
PHILADELPHIA CUPREZ COMPANY, a corporation;
CITY OF TACOMA, a municipal corporation;
PORT OF TACOMA;
PIERCE COUNTY, a municipal corporation;

Also all other persons or perties unknown claiming any right, title, estate, lien, or interest in the real estate described herein, or any portion thereof.

Respondents.

No. 467

ORDER OF POSSESSION.

This cause osming on regularly for hearing in open Court this

10 day of December, 1942, on the motion of the petitioner, the United
States of America, for possession of the premises described in the petition, the petitioner, the United States of America, being represented by
P. P. Keenan, Special Assistant to the Attorney General of the United
States, and John F. Fishburne and Oliver Malm, Special Attorneys for the
Department of Justice; testimony having been introduced by the petitioner
and the Court finding as a fact that possession of the premises described
is being acquired for military purposes and that it is necessary and adventageous to acquire the same to aid in the successful prosecution of the
wer between the United States of America and Japan, Germany and Italy,
now, therefore, it is hereby

ORDERED, ADJUDGED and DECREED that the potitioner, the United States of America, have possession onthe // day of Decrees, 1942, of the following described property:

Truct No. 1

Commencing at the point of intersection of the extensions of the Southeasterly line of East Eleventh Street and the Southwesterly

line of Alexander Avenue; thence Foutheasterly with seid Southrecterly line of Alexander Avenue 120 feet, more or less, to the
Southeasterly line of Lot 26, said point being the true point of
beginning; thence continuing Southeasterly with said Southvesterly
line of 880 feet to a point; thence Southvesterly perallel to the
Southeasterly line of Fast Eleventh Street, a distance of 400 feet
to a point; thence Northvesterly perallel to the Southvesterly line
of Alexander Avenue, a distance of 880 feet to a point on the Fouthematerly line of Lot 13; thence Northeasterly with the Southeasterly
lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25,
and 26 to the point of beginning, containing 8.1 acres, more or
less.

Treet Fo. 2:

Commencing at the point of intersection of the prolongation of the Foutheasterly line of Fost Fleventh Ftreet and the Northeasterly line of Alexander Avenue; thence Foutheasterly with the Northeasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence Southeasterly with the Northeasterly line of Alexander Avenue 880 feet to a point; thence Northeasterly parallel to the Southeasterly line of Fest Eleventh Street 400 feet to a point; thence Northvesterly parallel to the Northvesterly line of Alexander Avenue 880 feet to the most Easterly corner of Lot 43; thence Southwesterly with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 6.1 acres, more or less.

It is further ORDERFD, ADJUDGED and DECRETO that zervice of a copy of this Order of Possession and a copy of the Petition for Condemnation shall be sufficient notice to vecate to all persons being in possession tif, or having an interest in the property described in this Order; and the Marshal is hereby directed to immediately serve a copy of this Order of Possession and a copy of the Petition in Condemnation on all

persons named as parties respondent in this cause, and on all persons who are in possession of said premises of the time of reid service, and to deliver immediate possession to the United Ethtee of America in or to its duly qualified and sating agents.

DONE IN OPEN COURT this 10 day of December, 1942.

United States District Judge.

Procented by:

John F. Fishburne Special Attorney for the Department of Justice.

The foregoing is a full, true and correct copy of the within instrument

JUDERN W SHORET L. Clerk.
B. CLEROTT

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE VESTERS DISTRICT OF VASHINGTON SOUTHWERN DIVISION

WHITED STATES OF AMERICA,

Petitioner,

-11

TACOMA HARBOR LUMBER COMPANI, a corporation; PHILADELPHIA QUARTE COMPANY, a corporation; CITY OF TACOMA, a municipal corporation; PORT OF TACOMA; PIERCE COUNTY, a municipal corporation;

Also all other persons or parties unknown claiming any right, title, estate, lien, or interest in the real estate described herein, or any portion thereof.

Respondents.

MO. 467

NOTICE AND SUMMORS.

THE PRESIDENT OF THE UNITED STATES OF AMERICA TO THE ABOVE NAMED RESPONDENTS, AND LACK OF THEM:

Motice is hereby given to the above maned respondents, and each of them, that hereafter, to-wit, on the 15th day of February, 1943, at the hour of ten e'clock A.M., or as soon thereafter as counsel can be heard or at such time thereafter to which this hearing may be adjourned, at the Courtroom of the United States District Court in the Post Office Building in the City of Tacoma, County of Pierce, State of Vashington, and within the above-named Division and District, the above-named petitioner, the United States of America, will present to the then presiding Judge of the above-entitled court the petition of the United States of America, which has been filled in said cause in the office of the Clark of the Court, and that thereafter said petition will be brought on for hearing at such time and place as shall by the Court he directed, or at such time or place as the said hearing may be by the Court at that time, or times, adjourned.

The object of the petition filed herein is to condemm and appropriate all of the property hereinafter described to the use and purposes of the United States of America, and to asquire, in the name of and for the United States of America a (lessehold interest) in and to said property for use in commercion with the expansion of the Seattle Tacoma Shipbuilding Corporation facilities, for the

period ending June 30, 1943 with a right to renew annually for the duration of the present states of war and one year thereafter.

and the petitioner, by the allegations of its petition herein filed and through this proceeding, prays the Court that it find and decree that the contemplated was for which the property hereinafter described is sought to be appropriated is a public use and that the public interest requires the sequisition of the land hereinafter described, and that the condemnation and appropriation of the property herein described is necessary for said public use, and the petitioner herein has petitioned the Court that an order be entered, unless a Jury be vaived, directing the Marshal to summon a jury, hereafter to be empaneled, in order to ascertain and determine the compensation to be made in money to the above named respondents, and each of them, and to all tenants, encumbrancers and others interested in the property hereinafter described, insofar as the interest of each

The land in which a leasehold interest is sought and taken aggregates 16.2 agree, more or less, situate in Pierce County, State of Washington, being the area to be utilised for the expansion of the Seattle Tacoma Shipbuilding Corporation facilities, Tacoma, Washington, and more particularly described as follows:

Tract Yo. 11

commencing at the point of intersection of the extensions of the Southeasterly line of East Eleventh Street and the South-Seterly line of Alexander
Avenue; themce South-easterly with said South-easterly line of Alexander Avenue
120 feet, more or less, to the South-easterly line of Lot 26, said point being
the true point of beginning; themce continuing South-easterly with said Southwesterly line 850 feet to a point; themce South-westerly verallel to the
South-easterly line of East Eleventh Street, a distance of 400 feet to a point;
themce Forth-westerly parallel to the South-westerly line of Alexander Avenue,
a distance of 850 feet to a point on the South-easterly line of Lot 13; themce
Horth-easterly with the South-easterly lines of Lots 13, 14, 15, 16, 17, 16,
19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.1
acres, more or less.

Treet No. 21

Someoning at the point of intersection of the prolongation of the Boutheasterly line of East Eleventh Street and the Bortheasterly line of Alexander Avenue; themes Southeasterly with the Bortheasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; themes Southeasterly with the Bortheasterly line of Alexander Avenue SSO feet to a point; themes Bortheasterly parallel to the Southeasterly line of East Eleventh Street 400 feet to a point; themes Borthwesterly parallel to the northwesterly line of Alexander Avenue SSO feet to the most Easterly corner of Lot 43; themes Southwesterly with the Southeasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 8.1 acres, more or less.

Petitioner herein prays that, compensation having been awarded for the taking of a leasehold interest in the lands described above, said leasehold interest be decreed to be the property of the United States of America for the period ending June 30, 1943, with a right to renew annually for the duration of the present states of war and one year thereafter.

This notice has been given and grapheding instituted by and with the authority of the Attorney General of the United States of America.

WITHERS the Honorable Charles H. Leavy, Judge of the United States)
District Court for the Western District of Fashington, and the seal thereof at
Tacona, Washington, in said District, on the 9th day of January, 1943.

JUDSON W. SHORETT, Clerk

• • • • • • • • • • • • • • • • • • •	b	/s/ Elsie Birchman Beputy
P. P. Keman Special Assistant to the Attorney General	reī	3 con 4 p. 9 11 acc
John W. Fishburne Special Attorney, Department of Justi	••	he foregoing is a fail, are and out 19. 1. The grant of the foregoing in a fail, and out 19. 1. The fair of the fair out 19. 1. The fair out 19. 19. 19. 19. 19. 19. 19. 19. 19. 19.
Oliver Walm Special Attorney, Department of Justi	.00	WITHERS IN STRONG TO STRON

MD13/N1-13 F-5-3/RA0:1m -049-72-Ta-1 049-72-Ta-3

The Honorable The Attorney General JUN 14 1949

Birt

Reference is made to the condemnation proceedings entitled United States V. 14.46 mores in Pierce County, Washington; Evelyn Clapp, et al., Civil 477, and United States V. 16.2 acres in Pierce County, Washington; Tacoma Harbor Lumber Co., et al., Civil 467.

It is now deemed mesessary and advantageous to the interests of the United States to acquire the lands described in the Petitions in Condemnation in the above named eases in fee simple subject, however, to existing public utility easements. It is requested, therefore, that the Petitions be amended accordingly,

Yery truly yours,

James Forrestal

ec:Com 13

C49-72-Ta-3

Peul Estate File

RAG @

ATL - RA

33-49-405-2

July 1, 1943

Chief, Euresu of Yards and Dooks Real Estate Division Department of the Hevy Washington, D. C.

Dear Sire

Reference - United States v. 16.2 Acres of Land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., No. 467, Seattle-Tacoma Shipbuilding Corporation.

Enclosed herewith for your files you will find a certified copy of the amended petition filed in this proceeding on June 18, 1943, to acquire the fee simple title subject to existing public utility essements.

It is hoped that the declaration of taking will be forwarded for filing in this proceeding in the near future.

Respectfully, For the Attorney General

NORMAN M. LITTELL . Assistant Attorney General

Enclosure

343212

16)

IN THE DISTRICT COURT OF THE UNITID STATES
FOR THE VESTERN DISTRICT OF VASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner.

-YB-

TACOMA HARBOR LUMBER COMPANI, a corporation;
PHILADELPHIA CUARTY COMPANY, a corporation;
CITY OF T/COMA, a municipal corporation;
PORT OF TACOMA;
PIFRCE COUNTY, a municipal corporation;

Also all other persons or parties unknown claiming any right, title, estate lien, or interest in the real estate described herein, or any portion thereof.

Respondents.

NO. 467

AMENDED PETITION FOR CONDEMNATION

Now comes the United States of America by F. P. Keenan, Special Assistant to the Attorney General of the United States of America, and John W. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice, at the direction and under the authority of the Attorney General of the United States pursuant to the request of the Acting Secrementary of the Navy of the United States of America, and represents unto the Gourt as follows:

I.

This proceeding is instituted under and in accordance with the Act of Congress approved Earch 27, 1942 (Public Low 507, 77th Congress), which act authorises the acquisition of land for military or other war purposes, and the Act of February 7, 1942 (Public Lav 441, 77th Congress), which Act appropriated funds for such purposes.

II.

That a strte of war at the date of the institution of this proseeding existed and still exists betweenthe United States of America and the Kingdom of Japan, the Kingdom of Germany and the Kingdom of Italy.

III.

That the Acting Secretary of the Navy of the United States of

343212 That the Acti

38-49-40

41:

America, acting under the authority vested in him by said Acts of Congress, has determined that in his opinion it is necessary and advantageous to acquire for the United States of America certain lands hereinafter described, subject to existing public utility essentes, by condemnation under judicial process for ver purposes, to-wit, to be used in connection with the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Vashington.

TW.

That the Acting Secretary of the Navy of the United States of America has further determined that immediate possession of the property hereinafter described is necessary to aid in the successful prosecution of the ver between the United States of America and Japan, Germany and Italy.

٧.

The land sought to be condemned and taken aggregates 16.2 acres, more or less, situate in Pierce County, State of Washington, being the area to be utilized for the expansion of the Seattle Tacoma Shipbuilding Company facilities, Tacoma, Vashington, and more perticularly described as follows:

Tract No. 11

Commencing at the point of intersection of the extensions of the Southeasterly line of Fast Kleventh Street and the Southwesterly line of Alexander Avenue; thence Southeasterly with said Southwesterly line of Alexander Avenue 120 feet, more or less, to the Southeasterly line of Lot 26, said point being the true point of beginning; thence continuing Southeasterly ith said Southwesterly line 680 feet to a point; thence Southwesterly parallel to the Southeasterly line of East Eleventh Street, a distance of 400 feet to a point; thence Northwesterly parallel to the Southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the Southeasterly line of Lot 13; thence Northeasterly vith the Southeasterly lines of Lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, containing 8.1 acres, more or less.

Tract No. 21

Commencing at the point of intersection of the prolongation of the North-sasterly line of Fast Fleventh Street and the North-sasterly line of Alexander Avenue; thence Bouthrasterly with the Northeasterly line of Alexander Avenue 120 feet to the Southeasterly line of Lot 30, said point being the point of beginning; thence Southeasterly with the Northeasterly line of Alexander Avenue 880 feet to a point; thence Northeasterly Persilel to the Boutheasterly

line of East Eleventh Street 400 feet to a point; thence Northwesterly parallel to the Northwesterly line of Alexandor Avenue 680 feet to the most Fasterly corner of Lot 43; thence Southwesterly with the Southmasterly lines of Lots 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, and 30, a distance of 400 feet to the point of beginning, containing 6.1 acros, more or less.

VI.

The estate sought to be condemned in said land, for the public use aforesaid, is the full fee simple title therete, subject, however, to existing public utility easements.

VII.

That this petition has made all persons, as far as ascertained, parties to these proceedings but petitioner also makes perties hereto all persons and corporations unknown owning or claiming to have any right, title, interest or estate in, or lien, encumbrance, servitude, cacement, charge, demand, claim or covenant on or in respect to the property hereinbefore described.

VIII.

That the Acting Sacretary of the Navy of the United States of America has made application to the Attorney General of the United States to cause the necessary proceeding to be instituted for the acquisition of the fee simple title to the land as set forth heretofore.

IX.

That the petitioner, the United States of America, has done and performed every act and thing required by law to be done by said petitioner as a condition precedent to the beginning and maintaining of this action; that the object for which this proceeding is brought is for the purpose of ascertaining the just compensation for the taking by the United States of America of the fee simple title in and to the property described in this petition.

VHIRTFORE, the petitioner prays that the purpose of this condemnation be adjudicated to be a public use; that a jury be empaneled to fix and determine a just and proper award and compensation for the taking of the property heretofore described, or in case a jury be vaived, then that the compensation to be made as aforesaid be assertained and determined by the Court or a Judge thereof; that the Court determine the parties entitled to the sum awarded as just compensation for the taking of said land, and upon

payment to or into the Registry of the Court for the use of the parties entitled, of the sum adjudged to be just compensation for the taking of the above-described property, to adjudge and decree that title to said land is vested in the United Etstes of America in fee simple absolute; that possession of said property herein be given to the petitioner ismediately and that the Court grant such other and further relief as may be levful and proper.

Oliver melm Special attorney for the Dept of Justice

UNITED STATES OF AMERICA VESTERN DISTRICT OF VASHINGTON BOUTHERN DIVISION

JOHN W. FISHBURNF, being first duly sworn, on oath deposes and says:

and as such makes this verification for and on behalf of the United States, petitioner herein; that he has read the foregoing petition, knows the contents thereof, and the same is true of his own knowledge except as to matters which are therein stated on his information and belief; the source of affiant's information and the grounds for his belief are the official communications, records, files and documents received from the Attorney General of the United States and from the Mavy Department of the United States, and as to those matters he believes the foregoing petition to be true.

Special Attorney, Dept. of Justice

SUBSCRIBED and SFORM to before me this far of June, 1943.

Deputy Clerk, United States
District Court, Festern District of
Vashington.

The foregoing is a full, true and correct copy of the within instrument

WITNESS my hand and one jal seat this day

JUDSON W. SHOKETI, OLEK

9/3 JUL 2 7 57

8.0

ADDRESS REPLY TO EXECUTIVE OFFICE OF THE SECRETARY AND REFER TO INITIALS



1

ND13/N1-13 F-5-3;RAG:126 C49-72-Ta-3/ ASHINGTON

The Honorable The Attorney General

Birt

In accordance with the request of the Acting Secretary of the Mavy dated December 3, 1942, there was instituted pursuant to the Acts of Congress approved March 27, 1942 (Public Law 507, 77th Congress) and February 7, 1942 (Public Law 441, 77th Congress), the condemnation proceeding entitled United States v. 10.2 acres of land in Pierce County, Washington; Tacoms Harbor Lumber Company, et al., Civil 467, to acquire land for the expansion of the Seattle-Tacoma Shipbuilding facilities.

The property has been appraised to determine its fair market value and in order that estimated just compensation may be made available immediately to the owners or ethers having compensable interests therein, the enclosed Declaration of Taking has been prepared pursuant to the authority of the Ast of Congress approved February 26, 1931 (46 Stat. 1421) and is forwarded herewith with the request that it be filed in the cause.

A shock in the amount of the estimated just compensation for the lands described in the enclosed Declaration of Taking is submitted herewith to be deposited with the Clark of the Court for the benefit and use of the persons entitled thereto.

Very truly yours.

James Forrestal Acting

Enels.

1. Declaration

2. Schedule

3. Map

cc: Com 13 Lt. Bergman

BuShips Lt. Muir

પજ



C44-72-92-3

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WINTERS DISTRICT OF MASHINOTON SOUTHERN DIVISION

United States of America, retitioner,

CLYLL No. 467

16.2 aures of hand in Pierce County, Reshington; Tasons, Harbor Lumber Company, of ales

Defendant#

PROLABATION OF TAXING

MINHEAD, pursuent to the Aste of Congress approved.

March 27, 1942 (public Law 507, 77th Congress) and February 7,

1942 (Poblic Law 541, 77th Congress), the above styled condenmatien proceeding has been instituted,

NOW, THEREFORE, pursuant to the provisions of the Ast of Songress approved Pobracy &6, 1911 (46 stat, 1121), I, inting Secretary of the Mayr, acting for and in behalf of the Secretary of the Mayr, acting for and in behalf of the Secretary states of Taking, and by virtue of authority thereof to hereby seate that the lands selected for acquisition are shown as Parcell 12 and 13 on the map entitled "U. S. May Seattle & Taking Mayrard Site," dated June, 1943, attached herete as Rabible "A". The lands selected for acquisition aggregate Sixteen and Two Tenths (16.2) seres, norm or less, in Please Gounty, Takona, Washington, and are more particularly desgribed as Tollows:

Farmal II. Community at the point of intersection of the prolongation of the southeasterly line of fast Eleventh Street and the sortheasterly line of linearder Avenue, 120 feet markeasterly line of alemndar Avenue, 120 feet to be contheasterly line of lot 30, said point to the contheasterly line of lot 30, said point being the point of beginning; thence southeasterly with the northeasterly line of Alexander Avenue, 20 feet to a point; these northeasterly parallel and feet to a point; these northeasterly line of East Eleventh Direct.

400 feet to a point; thense northwesterly parallel to the northwesterly line of Alexander Avenue 520 feet to the most easterly earner of Lot 43; thense southwesterly with the southeasterly lines of Lots 43, 42, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, a distance of 400 feet, to the point of beginning, sontaining 5.05 acres, more or less, Pierce County, Washington.

The extensions of the southeasterly line of last aleventh Street and the southeasterly line of least themse continuing southeasterly with said southeasterly line 650 feet to a point; themse southeasterly line of least a least between the street, a distance of 100 feet to a point; themse northwesterly parallel to the southeasterly line of southeasterly line of alexander avanue, a distance of 880 feet to a point on the southeasterly line of lot 13; themse northeasterly with the southeasterly line of lot 13; themse northeasterly with the southeasterly lines of lots 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 to the point of beginning, sontaining 8,08 acres, more or less, Pierce Gounty Washington.

and I do declare the lands to be taken under authority of the aforesaid acts of congress; that the use to which the lands are to be put is the expansion of the neattle-Tacoma Shipbuilding Facilities; and that the estate hereby taken in said lands for the public use aforesaid is in fee simple, subject, however, to existing public utility easements.

And I do hereby state that the sum of money estimated by see to be just compensation for all of said lands, improvements thereon, and appurtenances thereunto belonging is six Thomsand Six Hundred Eighty-One Dollars (\$6,681.00), which is hereby deposited into the registry of the court for the use and benefit of the persons entitled thereto. The amounts of just compensation for said lands which are hereby taken are shown on Schedule "A".

I am of the opinion that the ultimate award for the taking of said lands will be within the limits prescribed by Congress.

C49- 72-52-3

IN WITHIRS WHEREOF, the Petitioner, by and through the Acting Sourceary of the Mary, asting for and in behalf of the Sourceary of the Mary, has exceed this Declaration of Taking to be signed and the seal of the Mary Department to be affined hereto in the City of Washington, District of Columbia, this 26th day of July, 1943.

THITED STATES OF AMERICA

(SEAL)

By James Forrestal Asting Secretary of the Mary

SCHEDULE "A"

The names of the persons having title to or other interests in the lands described in the within Declaration of Taking, and the amounts estimated to be just compensation for each respective compensation are as follows:

Pareel	Neme	Acres	Compensation
124	Tagona Harbor Company	2.57	1,235.00
12B	Philadelphia Quartz Co.	2.40	720.00
120	City of Tacoma	3.11	777.00
134	Tacoma Harbor Lumber Co.	3.88	2,640.00
138	City of Tacona	1,33	532.00
130 Port of Tacoma		87م.2	777.00
	16.16	\$ 6,681.00	

RJL:HA

DEPARTMENT OF JUSTICE

WASHINGTON, D.C. (25)

September 13, 1943

Chief, Burea of Yards and Docks Real Estate Division Department of the Navy Washington, D. C.

Dear Sir:

Reference-United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket 467, expension Seattle-Tacoma Shipbuilding Company Project.

Enclosed herewith for your files, you will find a certified cory of the judgment on the declaration or taking entered in this proceeding on August 31, 1943, together with a receipt of the court of clerk for the sum of \$6,681.00, deposited as estimated just compensation.

A valid title to the land and estate described in the judgment on the declaration of taking vested in the United States of America on August 31, 1943.

Enclosure No. 878683

Respectfully, For the Attorney General

Acting Head, Lands Division

¥ .;;,

Docket Out

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 acres of land in Pierce County, Washington, and Tacona Harber Lumber Company, et al.,

Respondents

Initial Partial

TRANSCRIPT

NO. 467____

Parcel_

33-49-405-2

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON SOUTHERN DIVISION

UNITED STATES OF AMERICA.

Petitioner,

.

110. 467

16.2 Acres of Land in Pierce County Washington and LUMBER COMPANY. a corporation; et al., PHILADELPHIA QUARTE COMPANY OF California, LID., a California corporations CITY OF TACOMA, a municipal corporation;

PORT OF TACOMAS PIERCE CCURTY, a sumicipal

corporation;

also all other persons or parties unknown elaiming any right, +i+le, estate lien, or interest in the real estate described herein, or any portion thereof.

Respondents .

JUDGMENT OF THE DECLARATION OF TAKINI.

This day comes the petitioner, the United States of smerios, by F. P. Kemun, Special Assistant to the attorney General, and John W. Fishburne and Oliver Malm, Special Attorneys for the Department of Justice, and moves the Court to enter a judgment wating thitle in the United States of America, in and to the property, tegether with all the improvements thereon and appurtenances thereunte belonging, hareinafter more particularly described,

It appearing to the Court that there is on file in this cause & petition in condemnation instituted under and in accordance with the Ache of Congress approved March 27, 1942, (Public Law 807, 77th Congress) and February 7, 1942 (Public Law 441, 77th Congress).

It further appearing to the Court that an order of possession was signed and entered in this sause on the 16th day of December, 1942, granting possession on the 11th day of December, 1962 to the United States of America of 1648 acres of land, more or less, being more particularly described in said order of possession, and that a declaration of the ing having been filed herein, and the Court being fully advised in the premises finds as follows:

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PIRSTs That the United States of someries is entitled to sequire property by eminent domain under the provisions of the Acts of Congress approved March 27, 1942, (Fublic Law 507, 77th Congress) and February 7, 1942 (Public Law 641, 77th Congress) and under the further provision of the act of Congress approved February 26, 1951 (46 Stat. 1421).

SECOND: That a perition for condemnation was filed at the request of the acting Secretary of the Havy of the United States, the authority empowered by law to acquire the land described in said petition, and also under the authority of the Attorney General of the United States.

THERP, That in said petition and declaration of taking a statement of the authority under which and the public use for which said land, to-gether with the improvements thereon and appurtenances thereunto belonging is taken is set out, and that James Forrestal, acting Secretary of the Kavy, is the person duly authorised and empowered by law to acquire land such as is described in the petition for the purposes aforesaid, and that the Atterney General of the United States is the person authorised by law to direct the institution of such condemnation proceedings.

FOURTH: That a proper description of the land sought to be taken, tegether with all the improvements thereon and appurtenances thereunto belonging, sufficient for the identification thereof, is set out in said declaration of takings

FIFTR: A statement of the estate or interest in said land taken for said public use is set out in said declaration of takings

SIXIII A plat showing the land taken is annexed to and incorporated in said declaration of taking.

SETTENTHS A Statement of the sum of money estimated by said acquiring authority to be just compensation for the land taken, together with all the improvements thereon and the appurtuances thereunto belonging, to-sit, the sum of Sim thousand Sim Hundred Eighty-one (\$6,681.00)Dollars is set out in said declaration of taking and said sum has been deposited in the Registry of the Court.

EIGHTH: That there is a statement in said declaration of taking that the estimated ultimate sward of damages for the taking of said property, in the spinon of the acting Secretary of the Havy of the United States probably will be within any limits prescribed by Congress to be paid as a price therefor.

and the Court having fully considered said petition in condemnation and the declaration of taking and the statutes in such case made and provided, is of the opinion that the United States of America is entitled to take said property, together with all the improvements thereon and aspurtenunces thereinto belonging, and have the title therete vested in it pursuant to the not of Congress approved February 26, 1981 (46 Stat. 1421). It is therefore considered by the Court, and it is the order, judgment and degree of the Court, that title to the following deseribe! land together with all the improvements thereon and the appurtenees thereunto belonging, in fee simple absolute, subject, however, to existing public utility excements, be and the same is hereby vested in the United States of A erica, and said land, together with all the improvements thereon and appurtenances thereunto belonging, is deemed to be condemned and taken and is condemned and taken for the use of the United States, and the right to just compensation shall west in the persons entitled thereto as of the time of the filing of the declaration of taking herein simultaneously with the passage of title to the petitioner, the United States of America, and when said compensation shall be determined herein it shall be awarded in this proceeding to the persons entitled thereto and established by judgment pursuant to law.

The land so condemned and taken by said declaration of taking agregates 16.2 agree, more or less, situate and being in the County of Pierce, State of Mashington, wholly within the Mestern District of Mashington, and is described as follows:

Farcel 18. Communing at the point of intersection of the prolongation of the southeasterly line of East Eleventh Street and the northeasterly line of alexander Avenue; theree southeasterly with the

northeasterly line of Alexander avenue, 120 feet to the southeesterly line of Lot 80, said point being the point of beginning; thence southeasterly with the northeasterly line of Alexander Avenue, 880 feet to a point: thence northeusterly parallel to the southeasterly line of East Bleventh Street, 400 feet to a point; thence northwesterly purallel to the northwesterly line of alexander avenue 880 fact to the most easterly corner of Lot 45; thence southwesterly with the southemsterly line of Lots 43, 42, 41, 40,89, 88, 87, 86, 85, 34, 85, 82, 31, and 80, a distance of 400 feet, to the point of beginning, containing 8.08 seres, rore or less, Pierce County, Washington.

Parcel 18: Commencing at the point of intersection of the extensions of the southeastorly line of East Eleventh Street and the southwestorly lime of alexander avenue; thence southeasterly with said southwesterly line of Alexander Avenue, 120 feet more or less, to the southeasterly line of Lot 26, said point being the true point of beginning; thence continuing southeneterly with said south-westerly line 980 feet to a point; thence southwesterly parallel to the southeasterly line of East Bleventh Street, a distance of 400 feat to a point; thence northwesterly parallel to the southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the southeasterly line of Lot 18; thence northeasterly with the southeasterly lines of Lets 18, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 25, 24, 25, and 26 to the point of beginning, containing 8,08 acres, more or less, Pierce County Washington.

sunsect, however, to existing public utility easements.

It is further ORDERED that therefurn date in the above-entitled same be and is hereby fixed as Manday, the 4th day of , 1948, at 1:45 Pax.

DONE IN OPEN COURT this 3/2 day of August, 1948.

CHAPLES H. IF.YY United States District Judge

Presented by:

CLIVER MALE Special Attorney Department of Justice

The foregoing is a full, true and correct copy of the within instrument filed an ang 31.1973 WITNESS my hand and official seal tiffs 3 ... day

JULICE W SHIKE T, Clerk
By Chief Charleman

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August 31, 1943.

District Court for the Western District of Washington, do hereby certify that I have this 31st day of August, 1943 received from Oliver Malm, Special Attorney for the Department of Justice, Treasury Check No. 296,025 in the sum of Six Thousand Six Hundred Eighty-One (\$6,681.00) Dollars, estimated award in the condemnation proceedings for acquisition of fee title, subject to, however, existing public utility easements, to land in Pierce County, Washington, Cause No. 467, United States v. 16.2 Acres of Land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Respondents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Court at Tacoma, Washington, this 51st day of August, 1943.

JUDSON W. SHORETT, Clerk

Deputy Clerk

1943 SEP 15 AM 7 01

BO - 6. L. NAV / DEPT.



Office of the Attorner General

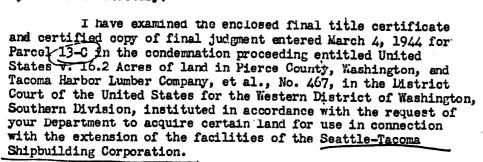
Maskington, A.C.

March 25, 1944

Honorable Frank Knox Secretary of the Navy Washington, D. C.

S03 31

My dear Mr. Secretary:



The Department advised in a letter dated February 3, 1944, that upon the deposit of \$223.00, the amount of the deficiency judgment, the condemnation proceeding with respect to this parcel would be brought to a satisfactory conclusion. There is enclosed herewith a receipt of the Clerk of the Court for the deficiency deposit. The total compensation for this parcel was the sum of \$1,000.00.

From my examination of the enclosed papers and those previously forwarded to your Department, I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion with respect to Parcel No. 13-C. A valid title to the land, more particularly described in the deficiency judgment, is now vested in the United States of America.

Respectfully,

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Attorney General

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PLY TO STORMS

DEPARTMENT OF JUSTICE

F-5 WASHINGTON 28, D. C. bjl – Ha 33-49-405-2 February 3, 1944 Chief Bureau of Yards and Docks Real Estate Division. Department of the Navy Washington, D. C. Dear Sir: Reference - United States v. 16.2 Acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket 467, Seattle-Tacoma Shipbuilding Corporation. Enclosed herewith you will find preliminary and supplemental title evidence, one certified and two uncertified copies of the judgment entered as follows: Deficiency . Parcel Deposit Compensation Judgment \$777.00 \$1,000.00 1-3-44 **\$223.00** 13-C When a check in the sum of \$223.00 in payment of the deficiency judgment is received by this Department, it will be forwarded to the field with appropriate instructions for the conclusion of the proceeding. Respectfully, For the Attorney General NORMAN M. LITTELL Assistant Attorney General Enclosure No. 166659 494808

File

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v.

16.2 Acres of Land in Pierce County Washington, and Tacoma Harbor Lbr.)
Co., et al.

Respondents

INTERMEDIATE PARTIAL

TRANSCRIPT

NO. 467

· Parcel 130

33-49-405-2

DEFICIENCY

Form P106-A

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Communically Tills Discussions Company

W. R. RUST BUILDING TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-13 C

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th and 10th and 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

PORT OF TACOMA, a Municipal corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for 1ts use and that of 1ts

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commentscrifth Tills Inchrence Company

Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Washington hans kein ands Governor

Assistant Secretary

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Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette

Meridian, described as follows:

Beginning at the northwest corner of said Section 35; thence on the north line of said section south 89.48.35" east 355.04 feet to the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue south 47°15'36" east 158.76 feet to a line parallel with and 880 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat'; thence south 42°44'24" west 400 feet; thence north 47°15'36" west 272.25 feet to the west line of said Section 35; thence north 0.03.37" west 217.94 feet to the place of beginning.

Form P108

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all essements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.; Or which otherwise may be known actually to exist, but which may not be of record.

- 1. Assessment for water main, District 5138, payable in 10 annual installments with interest. Original amount \$22.35. No payments have been made and all installments are now delinquent.
- 2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
- 3. Pendency of action entitled United States of America vs.
 Tacoma Harbor Lumber Company, et al, in the United States
 District Court for the Western District of Washington,
 Southern Division, under Cause No. 467, for the appropriation
 of the within described lands and other property.
- 4. Provisions of Chapter 45 of the session laws of 1939, of the State of Washington, regulating use of said lands.
- 5. Right, title and interest of the City of Tacoma, as to an undivided one-half interest in "that portion of north half of northwest quarter of northwest quarter of said Section 35, lying Southeasterly of East 11th Street and within 900 feet therefrom" as disclosed by local improvement assessment deed recorded under Auditor's Fee No. 1267536, records of said county.

(End of Schedule B)

CE FOGG. PRESIDENT

me Breedway 1281

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STEWART E. PERRY, SECRETARY

Commonwealth Title Insurance Company

CAPITAL \$175.000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER
All Title Insurance Policies issued by this Company are Reinsured by

Bushington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA. WASHINGTON

January 3, 1944

No. 30220-130

CAUSE #467

SUPPLEMENTAL REPORT

Department of Justice LandsDivision Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title you are advised that the records show no change since theeffective date of our preliminary report dated July 10, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATE OF AMERICA, subject further to the following:

1. The matter noted in paragraph 4 of said preliminary report.

NOTE: The assessment noted in paragraph 1 of said preliminary report has been paid and the matters noted in paragraphs 2, 3 and 5 may now be disregarded.

Records examined to December 28, 1943, at 8 a.m.

COMMONWEALTH TITLE INJURANCE COMPANY

By

Assistant Secretary

RJM

Communically Till Dienstrace Company

W. R. RUST BUILDING TACOMA, WASHINGTON

CERTIFICATE OF TITLE

No. 30220-130

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943, at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA.

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

ONE THOUSAND and No/100 --- DOLLARS (\$1000.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of its

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Communicatile Citle Insurance Company

Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Meaniched gene panisars concern

Assistant Secretary

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of northwest quarter of northwest quarter of Section Thirty-five (35), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian; described as follows:

Beginning at the northwest corner of said Section 35; thence on the north line of said section south 89°48'35" east 355.04 feet to the southwesterly line of AlexanderAvenue as now laid out by the City of Tacoma; thence on said line of Avenue south 47°15'36" east 158.76 feet to a line parallel with and 880 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly in King County, Washington", commonly referred to as 'Ashton's Replat'; thence south 42°44'24" west 400 feet; thence north 47°15'36" west 272.25 feet to the west line of said Section 35; thence north 0°03'37" west 217.94 feet to the place of beginning.



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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now which may not be of record.

(End of Schedule B)

CMIDSE

IN THE DISTRICT OCURT OF THE UNITED STATES FOR RHE WESTERN DISTRICT OF WASHINGTON SCURRENT DIVISION

DESIGN STATES OF AMERICA.

DOCKET NO. 467

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Petitioner,

JUDGETT AND DEUTE TO-SAY FUNDS AND GRAFTING A DEFICIURCY JUDGETT CH FARGEL NO. 18-6.

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16.2 Aeres of land in Fiorne County, Washington, and Tacoma Harbor Lumber Company a corporation et al.,

Entered 1-3.44

FORT (F Incora, a municipal corporation;

Respondents.

This matter seming on regularly for hasring this day on the petition of the resp mient, Part of Tacore, a municipal corporation, to withdraw the sum of Seven Hundred Seventy-seven (\$777,000)Pollars heretofore deposited with the Clark of this Court by the United States of America as estimated just compensation for the teking of Parcel No. 18-C, being a portion of the real property designated in the petition for condemnation and the declaration of taking herein as Parcel No. 18, said Farcel No. 15 and Parcel No. 18-C being more particularly hereinafter described, and for the sum of Two Hundred Twenty-three (\$225.00)Dollars as a deficiency judgment, and said respondent by the filing of its potition having appeared herein, having consented to the jurisdiction of this Court, having waived notice of hearing and having agreed to accept the sum of One Thousand (\$1,000,00) Dollars as full settlement of all claims against the United States of America for, and as a final sward of just compensation for the taking the said real pro-certy, and the Court having considered said petition and having considered the proof effered as to the rights of said perpendent to the sus claimed and as to the fair and responsble value of the property so taken, and the Court being generally duly edviced in the promises, now, therefore, it is hereby,

CREERED and ADJUDGED that the Sire Of this Court pay the sum of Seven Municipal Seventy-seven (\$777.00) Dollars to the Port of Tasoma, a manifelpal corporation, said sum of Seven Municipal Seventy-seven (\$778.00)

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dellars having beretefere been deposited with the Clerk of this Court
as just empensation for the taking of said Parcel No. 18-C by the United
States of America,

It is further GRDERED and ADJUNGED that the Port of Issons, a municipal comperation, has and hereby recovers of and from the petitioner the United States of America, a serietency judgment in the sum of Two Handred-Twenty-three (6225,00)Dellars, without interact.

It is further CRDERED, ADJUDGED and DEGREED that the payment of Seven Memired Seventy-seven (\$777,00)Dellars tegether with said defidency judgment in the amount of Two Memired Tunnty-three(\$222,00)Dellars chall constitute full settlement of all claims against the United States of America and the final sward of just compensation for the taking of the real estate, situate in Pierce County, State of Machington and more particularly described as follows:

PARCEL NO'S 48-04

Fortion of morthwest quarter of morthwest quarter of Section Thirty-five (85), Township Tmenty-One (21) Morth, Henge Three (8), East of the Willamette Moridian, described as follows:

Beginning at the northwest corner of said Section 35; thence on the morth line of said section south 89° 48' 88" east \$55,06 feet to the southwesterly line of Alexander Avenue as now laid out by the City of Tasona; thence on said line of Avenue south 47° 15' 86" east 188.75 feet to a line parallel with and 880 feet southeasterly of the contineatorly line of Block 8 of Totata Land Commissioner's Replat of Block 18 to 48; both inclusive, Tasona Tide Lands, formerly in King County, Washington', secondly referred to as 'Ashben's Replat'; thence south 42° 44' 24" west 400 feet; thence north 47° 18' 86" west 272,25 feet to the west line of said Section 38; thence morth 0° 08' 87" west 217,94 feet to the place of beginning.

which said Parcel See 18-0 is a persion of the following described property, situate in the County of Pierce, State of Washington, to-wit:

PARCEL NO. 15:

Commencing at the point of intersection of the extensions of the southeasterly line of East Elwenth Street and the Southeasterly line of Alexander Avenue; themes southeasterly with eath southwesterly line of Alexander Avenue, 120 feet more or less, to the southeasterly line of Lot 86, said point being the true point of beginning; themes continuing southeasterly with said southeasterly line 680 feet to a point; themes santhwesterly parallel to the southeasterly line of East Eleventh Street, a distance of 600 feet to a point; themes northwesterly parallel to the southwesterly line of Alexander Avenue, a distance of 880 feet to a point on the

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southeasterly line of Lot 18; themse mortheasterly with the southeasterly lines of lots 18, 16, 15, 16, 17, 12, 12, 20, 21, 22, 22, 24, 25, and 26 to the point of beginning, containing 8,00 mores, more or less, Pleres County Machington.

it is further CRDERID, ADJUDOED and DEGREED that foe simple legaltitle to Parcel No. 15-C hereinabove described is wested in the United States of America free and clear of any and all charges, interest, claims, taxes; liene and encumbrances or ony kind or character whatesp over.

GRA LMS R. LEAVY United States District Judge.

Presented byt

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OLIVER MALE Special Attorney 16 Department of Justice 17

Approved as to form and contents:

TRATE & TEATS

Actorneys for Fort of Im

The foregoing is a full, true and correct copy of the within instrument

JUDSON W. SHORBITY, Clerk

NAVI DEPT.

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25 26 IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON SCUTTERN DIVISION

ANITED STATES OF AMERICA.

DOCKET NO. 467

. Petitioner.

FINAL JUDGMENT AND ORDER DIRECTING

16.2 Acres of Land in Pierce County, Washington, and Tacoma Marbor Lumber Company, et al., and

CLERK TO PAY DEFICIENCY W.JUDGKENT FOR PARCEL NO.18-C. the foregoing is a full, true and correct copy of within instrument

WITNESS my 1 and official sent this 17 day march

PORT OF TACGKA, a municipal corporation;

Judsch 🛶 Br Colace Bur

Mespondents.

This matter soming on regularly for hearing this day and it appearing to the Court that on Jamuary 3rd, 1944 deficiency judgment in the sum of Two Hundred Twenty-three (\$223.00)Dollars without interest, was entered herein in favor of the Port of Tacoma, a municipal corporation against the United States of America on account of the taking of Parcel No. 18-C, therein described, and it further appearing to the Court that on March Srd. 1944 the sum of Two Sundred Twenty-three (\$28.00) Dollars was deposited by the United States of America in the registry of this Court for and on account of said deficiency judgment, and the Court being generally duly advised in the premises, now, therefore, it is hereby,

DRDERED that the Clerk of this Court be and he is hereby authorised and directed to may to the Port of Tacoma, amunicipal corporation, the and by Two Hubbred Twenty-three (\$228.00) Dollars in full payment and satisfaction of said deficiency judgment.

It He Tuffer ORDERED that payment of said deficiency judgment shall and does soutitute full settlement of all slaims against the United States of America for the taking of said Parcel No. 18-C, the prometty * described in said judgment of January 8, 1944.

DONE IN OPEN COURT this _____ day of ... larch; 1944.

Presented by

CHARLES H. LEAVY inited States District Judg

pagial Astorney

Department of Justice



Office of the Attorney General **Washington**, D.C.

ND13/NI-13

April 29, 1944

Secretary of the Navy Washington, D. C.

My dear Mr. Secretary:

I have examined the transcript of record and the enclosed preliminary, supplemental and final title certificates and copy of final judgments entered with respect to Parcels Nos. 12-C and 13-B in the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., No. 467, in the United States District Court for the Western District of Washington, Southern Division, instituted in accordance with the request of your Department to acquire certain land for the extension of the facilities of the Seattle-Tacoma Shipbuilding Corporation.

Subsequent to the filing of the declaration of taking, the court entered judgments determining that the amount on deposit, or a lesser amount, was the just compensation for the taking of these parcels, as follows:

Percel	Refund	Amount	Judgment .
12-0 13-B	\$137.75	\$639.25 532.00	March 29, 1944 do.
•	137.75	\$1,171.25	

2 when m. s.

From my examination of the above papers and those previously forwarded to your Department, I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion with respect to these tracts. A valid title to the land, more particularly described in the final judgment, is now vested in the United States of America.

There is enclosed herewith a United States Treasury eheck in the amount of \$137.75, representing the refund for Parcel 12-C.

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Respectfully,

Francis Biddle 58
Attorney General

UM-Senttle-Tucima Chiefley

A. eleva. V

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

V.

16.2 Acres of Land in Pierce County, Washington and Tacoma Harbor Lumber Company, et al.,

Respondents

FINAL PARTIAL TRANSCRIPT

NO. 467

Parcel 13-R

33-49-405-2

Communically Title Insurance Company

W. R. RUST BUILDING TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-130 /38

Cause/467

TO THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the Oth day of July. 1943at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

CITY OF TACOMA, a Municipal corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for the use and that of the immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonwealth Othe Lucturence Company

Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

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Assistant Secretary

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SCHEDENDOVE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of COUNTY OF PIRCE, STATE OF WASHINGTON

Portion of southwest quarter of southwest quarter of Section Twenty-six (26), Yownship Twenty-one (21) North, Hange Three (3) East of the Willamette Meridian, described as follows:

Beginning at the sauthwest corner of soid Section 26; thence on the south line of said Section south 89°48'35" east 355.04 feet to an intersection with the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avanue north 47°15'36" west 468.30 feet to the Government Meander line in front of said Section 26; thence on said meander line south 69°17'27" west 12.25 feet to an intersection with the west line of said Section; thence on said Section line south 0°03'37" east312.23 feet to the place of beginning.

563624

30220-13C

PAGE ZOF CERTIFICATE No.

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all essements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

Or which otherwise may be known actually to exist, but which may not be of record.

- 1. Assessment for water main, District 5138, payable in 10 annual installments with interest. Original amount \$14.85. No payments have been made and all installments are now delinquent.
- 2. Any unpeid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoms.
- 3. Fendency of action entitled United States of America vs.

 Tacoma Harbor Lumber Company, et al. in the United States
 District Court for the western District of Washington,
 Southern Division, under Cause No. 467, for the appropriation
 of the within described lands and other property.

(End of Schedule B)

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER
All Title Insurance Policies issued by this Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA, WASHINGTON

March 16, 1944

No. 30220-13B

Cause #467

SUPPLEMENTAL REPORT

Department of Justice Lands Division Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 10, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA, subject to the following:

1. General taxes for the year 1944, if any.

NOTE: The assessment noted in paragraph 1 of said preliminary report has been paid and the matters noted in paragraphs 2 and 3, may now be disregarded.

Records examined to March 11, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By prilling 6. Cl

Assistant Secretary

IN THE DISTRICT COURT OF THE DESIGN STATES FOR THE MESTICAN DISTRICT OF MASHINGTON SCUTHERN DIVISION

INITED STATES OF AMERICA.

Petitioner.

DOCKET NO. 467

16.2 Acres of Land in Pierce County, Nashington and TAMONA HARBOR LUNEER COMPANY, a corporation, et al., and

CTTY OF TAUCHA, a municipal corporation,

JUDGMENT AWARDING CONFENSATIO AND DIRECTING CLERK TO PAY FUNDU ON DEPOSIT FOR PARCEL NO. 18-8.

Respondents.

(71100 march 29th , 1944)

This matter coming on regularly for bearing this day on the stipulation herein by and between the petitions, United States of America, and
respondent, City of Temoma, a municipal corporation, petitioning for the
w therewal of the sum of \$552.00 deposited with the Clerk of this Court
by the United States of America, as estimated just compensation for the
taking of the real property designated in the petition in condemnation and
the deblaration of taking as Parcel No. 15-B, and hereinafter more fully
described, and said respondent having agreed by said stipulation to accept
the sum of \$552.00 as full settlement of all claims against the United
States of America for, and as final swafd of just compensation for the
taking of said real property, and the Court having considered the proof
offered as to the rights of said respondent to the sum claimed and as to
the fair and reasonable value of the property so taken, and the Court being
dely advised in the premises, now therefore, it is hereby

ORDEPED, ADJUDGED and DECREED that the Clerk of this Court be, and he is hereby directed to pay the sum of \$552.00 to the City of Tanoma, a mnicipal corporation.

It is further ORDERRD, ADJUDGED and DECREED that the sum of \$532.00 is the full and fair value of the real estate below described, and that the payment impulled said \$532.00 shall constitute full settlement of low WAA.

all claims against the United States of America for, and the final award of just competitution for the taking of the said real estate, situate in Perce County, Washington and more particularly described as follows:

61.

PARCEL NO. 18-BI

Portion of southwest quarter of southwest quarter of Section Twenty-six (26), Township Twenty-one (21) North, Range Three (5) Kest of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the south line of said Section south 89° 48' 85" east 855.04 feet to an intersection with the southwesterly line of Alexander Avenue as now laid out by the City of Tacoma; thence on said line of Avenue north 47° 15' 85" west 468.20 feet to the Covernment Meander line in front of said Section 26; thence on said meander line south 69° 17' 27" west 12.28 feat to an intersection with the west line of said Section; thence on said Section line South 0° 68' 87" east 812.28 feet to the place of beginning.

It is further ORDERFD, ADJUDGED and DECREED that the fee simple title to the above-described land is vested in the United Statesfree and olear of any and all charges, inherent, claims, takes, liens and encumbrances of any kind or character whatsoever.

DONE IN OPEN COURT this 29 day of March, 1944.

CHARTES H. TEAVY United States District Judge

Presented by:

Special Attorney
Department of Juntice

The foregoing is a full, time and correct copy of sewithin the content out.

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Commonwealth Title Insurance Company

W. R. RUST BUILDING TACOMA, WASHINGTON

CERTIFICATE OF TITLE No. 30220-13B

Cause #467

THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943, at 8:00 o'clock A.M., se title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

FIVE HUNDRED THIRTY-TWO and No/100 --- DOLLARS This certificate of title is made in consideration of the payment of the premium by the applicant and for immediate vendor. and that of

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Companies the Turnsum Company

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Washington Trece Insurance Company

Assistant Secretary

SCHEDULE A

ring the legal description of the real estate covered by this certificate, ne following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of southwest quarter of southwest quarter of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North. Range Three (3) East of the Willamette Meridian, described as follows: Willamette Meridian, described as follows: Beginning at the southwest corner of said Section 26; thence on the south line of said Section, south 89°48'35" east 355.04 feet to section, south 89°48'35" east 355.04 feet to an intersection with the southwesterly line of an intersection with the southwesterly line of Tacoma; thence on said line of Avenue north 47°15'36" west 468.30 feet to the Government 47°15'36" west 468.30 feet to the Government thence on said meander line south 69°17'27" thence on said meander line south 69°17'27" thence on said meander line south 69°17'27" thence on said Section; thence on said west line of said Section; thence on said section line south 0°03'37" east 312.23 feet to the place of beginning.

PAGE 2 OF CERTIFICATE No. 30220-13B

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all entry interests, interests, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now stof record.; Or which otherwise may be known actually to exist, but h may not be of record.

(End of Schedule B)

Page 3 of Certificate No. 30220-13B

Pabruary 14 194 Assistant Attorney General Lands Division Department of Justice Referance is made to the wonderention proceeding antitied United States in 10.1 Agree of Land 12 Please County, Washington Taoush Basbor Lumber Company Set at Cavil Los and St refer latter of Howards 12 19.3 June 21.e No. 33-18-105-21 It is agreeable to this Department to Elprists
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a reservation to the May Department of an ensement
for participating privileges for the duration of the sercovering that portion of the presists to be ac-Yerr spuly yours TRIBER T MURINY a way direction of objet of Burbau Subblie Subblies, Seattle-Takens

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W. R. RUST BUILDING

TACOMA, WASHINGTON

No.30220-126

Cause No. 467

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws rate of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title eal estate described in SCHEDULE A hereof, as of the th day of e to the said described real estate was indefeasibly vested in fee simple of record in:

CITY OF TACOMA, a Municipal corporation.

ct only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00) This certificate of title is made in consideration of the payment of the premium by the applicant and for ... immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be that of

ly signed in accordance with its by-laws.

IWS

itle М.,

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Millis C. Caspield Assistant Secretary

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of North half of northwest quarter of northwest quarter of Section Thirty-five (35) and of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said section north 0°3'37" west 312.23 feet; thence north 69°17'27" east 126.59 feet; thence south 89°48'35" east 26.19 feet to the true place of beginning of this description; thence south 89°48'35" east 591.55 feet to a line parallel with and 400 feet northeasterly of the northeasterly line of Alexander Avenue; thence on said parallel line couth 47°15'30" east 120.83 feet; thence south 42°44'24" went 400 feet to said line of Alexander Avenue; thence on said line of Avenue north 47°15'36" west 556.49 feet to the true place of beginning.

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record. ; Or which otherwise may be known actually to exist, but which may not be of record.

 Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.

(End of Schedule B)

Page 3 OF CERTIFICATE No. 30220-120

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER All Tide Insurance Policies issued by shis Company are Reinsured by

Washington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

dway 1281

TACOMA, WASHINGTON

March 16, 1944

No. 30220-120

Dause #467

SUPPLIMENTAL REPORT

ws irle М.,

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Department of Justice Lands Division Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Tite, you are advised that the records show no change since the effective date of our preliminary report dated July 9, 1943, except:

The record title to the premises described in said preliminary report is now vested in UNITED STATE OF AMERICA, free from all liens and enoumbrances.

The matter noted in paragraph 1 of said preliminary report may ROTE: now be disregarded.

Records examined to March 11, 1944, at 8 m.m.

COMMONWEALTH TITLE INSURANCE COMPANY

Assistant Secretary

RJM

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF WASHINGTON
SCULIMERS DIVISION

bjk

UNITED STATES OF AMERICA.

Petitioner.

72

16.2 Acres of Land in Pierce County, Washington and TACOPA HARBUR LUMBER DUMPANT, a corporation, et al., and

DITY OF TACOKA, & municipal corberation:

Respondents.

DOCKET NO. 467

JUDGMENT AWARDING CONFERSATION AND DIRECTING CLERK TO PAY FUNDS ON DEPOSIT FOR PARCEL HC. 12-C.

(Files mar. 29th, 1944)

This matter coming on regularly for hearing this day on the stipulation verein by and between the petitioner, United States of America, and respendent, Gity of Tecome, a municipal corporation, petitioning for the with Brawel of the sum of \$777.00 deposited with the Clerk of this Court by the United States of America, as estimated just compensation for the taking of the real property designated in the petitien for condemnation and the declaration of taking as Parcel No. 12-C, and hereinafter more fully sesuribed, and weld respondent having agreed by east stipulation to accept the sum of \$689.25 as full settlement of all ols ms against the United States of America for, and as final award of just compensation for the taking of said real property, and having consented to the refund of the belonce of said deposit to the Treasurer of the United States, and the Court naving sonsidered the proof offered as to the rights of said respondent to he sum claimed and as to the fair and reasonable value of the property o taken, and it further appearing to the Court that the United States of America agrees with the respondent, City of Tecoma, a municipal corporation, that there shall be excluded and excepted from the taking herein the goutheasterly mixty (60) feet by the United States of America for the mrking of automobiles for the duration of the present war and six months hereefter, and the Court being duly edvised in the premises, now, thereore, it is hereby

ORDEPED, that the Glerk of this Court be, and he is hereby directed will be woneys now on deposit as follows:

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It is further ORDERED, ADJUDUED and DECREED that the sum of \$639.25 is the full and fair value of the real estate below described, and that the payment in full of said \$689.26 shall constitute full settle ment of all claims against the United States of America for, and the final award of just compensation for the taking of the said real estate, situate in Pierce County, Rashington and more particularly described as

tellows

Portion of Borth half of northwest quarter of northwest quarter of Section Thirty-five (85) and of Government Lot Seven (7), in Section Twenty-siz (26), Township Twenty-one (21) North, Range Three (8) East of the Willamette Meridian,

described as follows: Beginning at the southwest corner of said Section 26; thence on the west line of said section north 0° 3' 57" west Elf.25 feet; thence North 690 17' 27" east 128.59 feet, thence South 89° 40' 85" east 85.19 feet to the true place of beginning of this description; the nee south 890 481 85" east and account of the northeasterly line of Alexander are thense one aid parallel line south 47° 18' are used thense one aid parallel line south 47° 18' are used 120.88 feet; themse south 42° 44' 24" west 400 feet to said line of Alexander Avenue; thence on said lime of Avenue Borth 470 15: 36" west 556.49 feet to the true place of beginning except the southeasterly 60 feet as set forth in the stipulation on file herein.

It is further URDERED, ADJUDGED and DECREED that the fee simple title to the shows-described land is wested in the United States free and elear of any and all charges, interest, claims, taxes, liens and encumbrances of any kind or character whatsoever.

DOWE IN OFER COURT this 2-9 day of March, 1944.

CHARLES H. LEAVY United States District Judge

Presented by:

563624

Special Attorney Department of Justice. 1944 MAY 1 AM 8 13

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The foregoing is a full, to un and correct copy of

. . day WIT.

Communically City Businessus Company

W. R. RUST BUILDING TACOMA, WASHINGTON

CERTIFICATE OF TITLE, No. 30220-120

Cause #467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rdday of September, 1943, at 8:00 o'clock A.M.. the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

SIX HUNDRED THIRTY-NINE and 25/100 --- DOLLARS (\$639.25)

This certificate of title is made in consideration of the payment of the premium by the applicant and for 1ts use and that of 1ts

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Communicately Cille Insurance Company

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Assistant Secretary

FOR VALUE. Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Markovithing paris Being corns Generalic

C ()

Assistant Secretary

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of north half of northwest quarter of northwest quarter of Section Thirty-five (35), and of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said section, north 0°3'37" west 312.23 feet: thence north 69°17'27" east 126.59 feet; thence south 89°48'35" east 26.19 feet to the true place of beginning of this description; thence south 89°48'35" east 591.55 feet to a line parallel with and 400 feet northeasterly of the northeasterly line of Alexander Avenue; thence on said parallel line south 47°15'36" east 120.83 feet; thence south 42°44'24" west 400 feet to said line of Alexander Avenue; thence on said line of Avenue north 47°15'36" west 556.49 feet to the true place of beginning.

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all essements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.; or which otherwise may be known actually to exist, but which may not be of record.

(End of Schedule B)

1111 1 44 W 14

Page 3 of Certificate No. 30220-120



Office of the Attorney General

Washington, B.C.

FEB 17 45 AM

RECEIVED

February 14, 1945

FEB 16 12 10 PM'

OFFICE OF THE SECRETARY OF THE NA'

Honorable James V. Forrestal Secretary of the Mavy Washington, D. C.

My dear Mr. Secretary:

Enclosed is a certificate of the clerk of the court showing a deposit of the sum of \$1,280.00, into the registry of the court, pursuant to a deficiency judgment, dated Movember 27, 1944, for the acquisition of Parcel No. 12-B, 2.4 acres, of the Seattle-Tacoma Shipbuilding Corporation project included in the condemnation proceeding entitled United States of America v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket No. 467, in the United States District, Court for the Western District of Washington, Southern Division.

The title to Parcel 12-B has heretofore vested in the United States of America in fee simple, subject to existing public utility easements. The above-mentioned judgment is now satisfied and the acquisition of Parcel 12-B is completed.

Also enclosed are the certificates of title,

All enus. reo'd EXOS Mall Room

Respectfully,

Attorney General

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON MORNWHERN DIVISION SOUTHERN

UNITED STATES OF ALERICA,

Petitioner

16.2 Acres of Land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al.,

Respondents

FINAL PARTIAL R I F T

NO. 467

Parcol 12-B

33-49- 405-2

NON-DEFICIENCY

SO2 17 13

Communically Cits Insurance Company

w. r. rust building TACOMA, WASHINGTON

PRILIMINARY CERTIFICATE OF TITLE

No. 30220-128

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 9th day of sully, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

PHILADELPHIA QUARTZ COMPANY OF CALIFORNIA, Ltd., a California corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and Ho/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for 1ts use immediate vendor.

and that of 1ts

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commenced Unit Distriction Company

Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Markoning forms France and Guver of a

S. Sooth President

Assistant Secretary

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Form P107

Reproduced at the National Archives-Pacific NW Region

Sicheropolie A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Lot Seven (7) "Ashton's Replat" below referred to, described as follows:
Beginning at the southwest corner of Section 26, Township 21 North, Range 3 Rast of the Willamette Meridian; thence on the west line of said Section North 0.3.37" west 312.23 feet; thence ou the Government Meander Line in front of said Section North 69:17'27" East 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence on said line of Avenue North 47.15.36" west 33.06 feet to a line parallel with and 280 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly King County, washington commonly referred to as 'Ashton's Replat'; thence on said parallel line North 42.44'24" east 400 feet; thence parallel with said line of Alexander Avenue south 47°15'36" east 121.25 feet to intersect the Government Meander Line; thence south 20.05.59" west 131.865 feet; thence continuing along Meander line south 69°17'27" west 311.12 feet to the true point of beginning.

SCHOOL BOOK

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all essements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

Or which otherwise may be known actually to exist, but which may not be of record.

- Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
- 2. Pendency of action entitled United States of America Vs.
 Tacoma Harbor Lumber Company, et al, in the United States
 District Court for the Western District of Washington,
 Southern Division, under Cause No. 467, for the appropriation
 of the within described lands and other property.
- Provisions of Chapter 45 of the session laws of 1939, of the State of Washington, regulating the use of said lands.

(End of Schedule B)

STEWART E. PERRY, SECRETARY

Commonwealth Title Insurance Company

CAPITAL \$175,000

\$75,000 GUARANTY FUND DEFOSITED WITH STATE TREASURER
All Title Insurance Policies issued by this Company are Reinsured by

Bashington Title Insurance Company

Capital \$1,350,000. \$200,000 Guaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

TACOMA 2, WASHINGTON

November 14, 1944

No. 30220 - 12B

dwey 1281

Cause No. 467

Department of Justice Lands Division Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 9, 1943, except:

The title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA.

The matters noted in paragraphs 1 and 3 of Schedule B of said preliminary report may now be disregarded.

Records examined to November 9, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By / Villis 6. Class

Assistant Secretary

DLW

Communically The Insurance Company

W. R. RUST BUILDING TACOMA, WASHINGTON

PRELIMINARY CERTIFICATE OF TITLE

No. 30220-125/2131

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 9th day of July, 1943 at 8:00 o'clock A.M., the title to the sald described real estate was indefeasibly vested in fee simple of record in:

PHILAUELPHIA QUARTZ CUMPANY OF CALIFORNIA, Ltd., a California corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for the use immediate vendor.

and that of 118

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

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FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of citle, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Myanuomini Jame Pianistoris Governo.

Assistant Sacrataru

SO2 17 13

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Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26; thence on the west line of said Section north 0.3.37" west 312.23 feet; thence on the Government Meander line in front of said Section north 69.17.27" east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence continuing on said Meander line 311.12 feet; thence north 20.05.59" east 131.865 feet to a line 400 feet northeasterly and parallel to the northeasterly line of Alexander Avenue; thence on said parallel line south 47.15.36" east 357.92 feet; thence north 89.48.35" west 591.55 feet to said line of Alexander Avenue; thence on said line of Avenue north 47.15.36" west 10.45 feet to the true point of beginning.

! Reproduced at the National Archives-Pacific NW Region

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all essements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now is exist of record.

So which otherwise may be known actually to exist, but high may not be of record.

- Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished to said premises by the City of Tacoma.
- 2. Pendency of action entitled United States of America Vs.
 Tacoma Harbor Lumber Company, et al, in the United States
 District Court for the Western District of Washington,
 Southern Division, under Cause No. 467, for the
 appropriation of the within described lands and other
 property.

(End of Schedule B)

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STEWART E. PERRY, SECRETARY

Commonwealth Title Insurance Company

\$75,000 GUARANTY FUND DEPOSITED WITH STATE TREASURER
All Title Insurance Policies issued by this Company are Reinsured by

Hashington Utile Insurance Company

Capital \$1,350,000. \$200,000 Quaranty Fund deposited with State Treasurer

W. R. RUST BUILDING

(dephone Broadway) 1281

TACOMA 2, WASHINGTON November 14, 1944

No. 30220 - 128-1

Cause No. 467

Department of Justice Lands Division Tacoma, Washington

Gentlemen:

In the matter of your application for a guaranteed Certificate of Title, you are advised that the records show no change since the effective date of our preliminary report dated July 9, 1945, except:

The title to the premises described in said preliminary report is now vested in UNITED STATES OF AMERICA.

The matter noted in paragraph 1 of Schedule B of said preliminary report may be disregarded.

Records examined to November 9, 1944, at 8 a.m.

COMMONWEALTH TITLE INSURANCE COMPANY

By

Assistant Secretary

DLW

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE BESCHEN DISTRICT OF WASHINGTON SOUTHIRN DIVISION

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UNITED STATES OF AMERICA.

Petitioner,

DOCERT HO. 467

FURDS AND FOR A DEFICIENCY JUDGGEST FOR PARCEL SO. 12-8.

-

16.2 Acres of Land in Pierce County, Washington, and Tacoma Harboy Lumber Company, et al.,

PHILADELPHIA QUARTE COMPANY OF CALIFORNIA, LTD., a California corporation;

(Filed 200 27 ,1944)

Respondente.

This matter coming on regularly for hearing this day on the stipulation herein by and between potitioner, United States of America, and respondent, Philadelphia Quarts Company of California, Ltd., a California serporation, by and through their attermeys of resord potitioning for the withdrawal of Seven Handred Twenty (\$720.00) Dollars on deposit in the Registry of the Court for Parcel No. 18-B and designated in the declaration in condemnation as a portion of Tract No. 2 and in the declaration of taking as a pertion of Parcel No. 12, and for a deficiency judgment in the sum of One Thousand Two Hundred Eighty(\$1,280.00) Dollars without interest, and eatd respondent having appeared herein, having consented to the jursidation of this Court and having waived notice of hearings and

It appearing to the Gourt by said stipulation that the respondent,

Philadelphia Quarts Company of California, Ltd., a California corporation,
agrees to accept the sum of Two Thousand (\$2,000.00) Dollars as full settlement of all claims against the United States of America for and as final
award of just compensation for the taking of said Parcel No. 12-8; and

It appearing to the Court by said stipulation that the United States of America, putitioner, has agreed to pay to the respondent the total sum of Two Thomsand (\$2,000.00) Dollars as full and just compensation for the taking of said property; and

To further appearing that the sum of Seven Hundred Twenty (\$720.00)

Dellars was deposited in the Registry of the Court as estimated just compensation for the taking of Parcel No. 12-B hereinafter described; and

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It further appearing that the sum of Two Thousand (\$2,000,00) Dellars is just compensation for the taking of said Percel We. 12-8 and that the respondent, Philadelphia Quarts Company of California, Ltd., a California corroration, is the only percen interested in the compensation to be paid for said property; and the Court being fully advised in the premises;

NOW, THEFFFORE, it is hereby URDERED, ADJUNCED and DEFREED that the just compensation for the taking of Parcel No. 12-R and designated in said amended petition in condemnation as a portion of Tract No. 2 and in the declaration of taking as a portion of Farcel No. 12, is the sum of Two Thousand (\$2,000.00) Dollars and that said sum is the total amount of damages including the full and fair value of said Parcel No. 12-B; and

It is further ORDERED, ADJUNCED and DECREED that the only person having an interest in the compensation to be paid for said Parcel No. 12-B is Philadelphia Quartz Company of California, Ltd., a California corporation, and the Clerk of this Court is hereby directed to pay out the sum of Beven Mandred Twenty (\$720.00) Dollars now on deposit in the Registry of this Court, as follows:

And it is further ORDERED, ADJUDGED and DECREED that the respondent, Philadelphia Quarts Company of California, Ltd., a California corporation have and recover from the United States of America as a deficiency judgment the sum of One Thousand Two Hundred Eighty (\$1,280.00) Dellars without interest, which sum together with the sum of Seven Hundred Twenty (\$720.00) Dellars hereinbefore ordered paid makes up the sum of Two Thousand (\$2,000.00) Dellars awarded herein as just compensation for the taking of said Farcel No. 12-B, which parcel is situated in Pierce County, State of Washington, and is more particularly described as follows:

PARCEL NO. 12-B:

THE THE COUNTY OF PIERCE, STATE OF WASHINGTON Forbion of Lot Seven (7) "Achton's Replat" below referred

to, described as follows: Beginning at the southwest corner of Section 26, Township 21 Worth, Range 5 East of the Willamette Meridian; thence on the west line of said Section North 008'87" west 312.23 feet; thence on the Government Meander Line in front of said Section North 69017'27" East 146.89 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence on said line of Avenue North 47015'86" west 53.06 feet to a line parallel with and 280 feet southeasterly of the southeasterly line of Block 9 of "State Land Commissioner's Replat of Blooks 18 to 48, both inclusive, Tacoma Tide Lands, formerly King County, Mashington Commonly referred to as 'Ashton's Replat'; thence on said parallel line North 42°44'24" east 400 feet; thence parallel with said line of Alexander Avenue south 47°15'86" east 121.25 feet to intersect the Government Meander Line; thence south 20005:59" west 181.865 feet; thence continuing along Meander line south 69017'27" west \$11.12 feet to the true point of beginning; also

Portion of Government Lot Seven (7), in Section Twenty-eix (26), Township Twenty-one (21) Borth, Range Three (8) East of the Willamette Meridian, described as follows

Beginning at the southwest corner of said Section 26; thence on the west line of said Section North 0° 5'37" west 512.25 feet; thence on the Government Meander line in front of said Sestion north 69"17'27" east 146.89 feet to northeasterly line of Alexander Avenue, the true point of beginning; thense continuing on said Meander line \$11.12 feet; thense north \$0005 50" east 181.865 feet to a line 400 feet northeasterly and parallel to the northeasterly line of Alexander Avenue; thence on said parallel line south 47015'86" east 357.92 feet; thence north 89048'85" west 591.55 feet to said line of Alexander Avenue; thence on said line of Avenue north 47°15'56" west 10.45 feet to the true point of beginning.

and that payment of said sum shall constitute payment of all claims for damages resulting to the respondent above named for the taking by condemation of said real property.

DONE IN OPEN COURT this 27 day of November, 1944.

original

filed on

Presented by:

CHARLES H. LEAVY United States District Judge

sing is a full, true an

Unthony K. Special Attorney Department of Justice Approved by:

METZGER; BLAIR & GARDWER

law Attorney for Respondent, Philadelphia Quarts Company ARD P

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Ltd., a Cal ifornia corporation.

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IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERS DISTRICT OF WASHINGTON SCHIMERY DIVISION

united States of America,

DOCKET NO. 467

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Petitioner,

ORDER DIRECTING CLERK TO PAT DEFICIENCY JUDOMENT FOR PARCEL NO. 12-B.

16.2 Acres of Land in Pierce County, Washington, and Tecoma Harbor Lumber Company, et al.,

PHILADELIHIA QUARTZ COMPANY OF CALIFORNIA, LTD., a California corporation.

Respondents.

(Filed November 29, 1944)

appearing to the Court that on Hovember 27, 1844, deficiency judgment in the sum of One Thousand Two Mundred Eighty (\$1,280.00) Dollars without interest was entered herein in favor of Philadelphia Quarts Company of California, Ltd., a California corporation, against the United States of America, on account of the taking of the property therein described, and it further appearing to the Court that on November 28, 1944, the sum of One Thousand Two Hundred Eighty (\$1,280.00) Dollars was deposited by the United States of America in the Registry of the Court on account of said deficiency judgment, and the Court being generally duly advised in the premises.

NOW, THEREFORE, IT IS HENERY CRDERED that the Clerk of this Court be, and he is hereby authorised end directed to pay to Philadelphia Quarts Company of California, Ltd., a California corporation the said sum of One Thousand Two Hundred Eighty (\$1,280.00) Dollars in full Prayment and satisfaction of said deficiency judgment.

IT IS FURTHER CRDERED that payment of said deficiency judgment shall constitute full settlement of all claims against the United States of America for the taking of the property described in a aid judgment of Rovember 27, 1944.

DOWN IN OPEN COURT THIS 29 day of November 1944.

Presented by:

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United States District Judge

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Communically Title Lieuriume Company

W. R. RUST BUILDING TACOMA, WASHINGTON

FINAL
CERTIFICATE OF TITLE

No. 30220 - 12B

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3rd day of September, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

ONE THOUSAND and No/100 - - - - - - - DOLLARS

This certificate of title is made in consideration of the payment of the premium by the applicant and for 1ts use immediate vendor and that of 1ts

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Communicately Date Insurance Company

Hora ep togg President

Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Mychusching hans henseves Corcany

Assistant Secretary

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i Reproduced at the National Archives-Pacific NW Region

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Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Lot Seven (7), "Ashton's Replat" below referred to, described as follows:

Beginning at the southwest corner of Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, thence on the west line of said Section north 0°3'37" west 312.23 feet; thence on the Government Meander Line in front of said Section north 69°17'27" east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence on said line of Avenue north 47° 15'36" west 33.06 feet to a line parallel with and 280 feet southeasterly of the southeasterly line of Block Nine (9) of "State Land Commissioner's Replat of Blocks 13 to 48, both inclusive, Tacoma Tide Lands, formerly King County, Washington; commonly referred to as "Ashton's Replat"; thence on said parallel line north 42°44'24" east 400 feet; thence parallel with said line of Alexander Avenue south 47° 15'36" east 121.25 feet to intersect the Government Meander Line; thence south 20°05'59" west 131.865 feet; thence continuing along Meander line south 69°17'27" west 311.12 feet to the true point of beginning.

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now o exist of record.

(End of Schedule B)

Commandiacally Title Liesenance Company

W. R. RUST BUILDING
TACOMA, WASHINGTON

FINAL
CERTIFICATE OF TITLE

No. 30220 - 12 - B - 1

Cause No. 467

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 3ndday of September, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

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ONE THOUSAND and No/100 - - - - - - DOLLARS.

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and that of 1ts

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Companies and Dale Insurance Company

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FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Washington Jiron Heurevice Governa

Assistant Secretary

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Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

Portion of Government Lot Seven (7), in Section Twenty-six (26), Township Twenty-one (21) North, Range Three (3) East of the Willamette Meridian, described as follows:

Beginning at the southwest corner of said Section 26, thence on the west line of said Section north 0°3'37" west 312.23 feet; thence on the Government Meander line in front of said Section north 69°17'27" east 146.39 feet to northeasterly line of Alexander Avenue, the true point of beginning; thence continuing on said Meander line 311.12 feet; thence north 20°05'59" east 131.865 feet to a line 400 feet northeasterly and parallel to the northeasterly line of Alexander Avenue; thence on said parallel line south 47°15'36" east 357.92 feet; thence north 89°48'35" west 591.55 feet to said line of Alexander Avenue; thence on said line of Avenue north 47°15'36" west 10.45 feet to the true point of beginning.

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

(End of Schedule B)

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Office of the Attorney General Washington, N.C.

Jun 23 3 47 PM 145

June 21, 1945

JN26 \$5 AM STANT OF THE HAVY



Honorable James V. Forrestal Secretary of the Navy Washington, D. C.

506 26

My dear Mr. Secretary:

e sale of the clerk of the court showing a deposit of the sum of \$12,033.51 into the registry of the court, pursuant to a deficiency judgment, dated January 20, 1945, for the acquisition of Parcels Nos. 12-A and 13-A, 6.45 acres, of the Seattle Tacoma Shipbuilding Corporation project included in the condemnation proceeding entitled United States of America v. 16.2 acres of land in Pierce County, Washington, and Tacoma Harbor Lumber Company, et al., Docket No. 467, in the United States District Court for the Western District of Washington, Southern Division.

The title to Parcels Nos. 12-A and 13-A has heretofore vested in the United States of America in fee simple, subject to existing public utility easements. The abovementioned judgment is now satisfied and the acquisition of Parcels Nos. 12-A and 13-A is completed.

AR MIGS. 100 D EXOS Mail Room Judgment. Also enclosed is a certified copy of the final

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Respectfully.

Attorney General

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ADDRESS REPLY TO "THE ATTORNEY GENERAL" AND REPER TO THE AND REPER TO

DEPARTMENT OF JUSTICE WASHINGTON 25, D. C.

73-49-405-2

April 30, 1945

HI MESSENGER

ND13/N1-13 7-5

Commander Andrew J. Murphy, Jr. Acting Head, Real Estate Division Bureau of Yards and Docks Department of the Navy Washington, D. C.

Dear Commander Murphy:

In connection with the proceeding entitled United States of America v. 16.2 acres of land in Pierce County, Washington, and Tacoms Harbor Lumber Company, et al., Docket No. 467, in the United States District Court for the Western District of Washington, Northern Division, being acquired for the Tacoms Shipbuilding Corporation, there are enclosed the preliminary certificates of title and one certified and two uncertified copies of the judgment for the following

 Tract
 Acres
 Date of Judgment
 Deposit
 Award
 Deficiency

 12-A
 2.57
 January 20, 1945
 \$1,235.00
 \$4,112.00
 \$10,445.00

 13-A
 3.88
 January 20, 1945
 2,640.00
 10,208.00
 \$10,445.00

The sum of \$3,875.00 was deposited in the registry of the court with the declaration of taking and the amount of the award is \$14,320.00, with interest as set out in the judgment. It is requested that a check for \$10,445.00, with interest, be transmitted to this Department in settlement of the deficiency judgment.

No. C 49-72-TA-3

Enclosure
No. 272561

FORVICTORY

Respectfully, For the Attorney General

J. KUWAHD WILLTAWS Acting Head, Lands Division

1013/10-13 049-72-72-3 7-5-3/146:6jw

May 28, 1945

Acting Rood, Lends Division Department of Furtice Machington 25, B. C.

Mrs

Reference is made to the condemnation proceeding entitled United States v. 16.2 acres of land in Pierce County, Vashington, and Tacona Marbor Lumber Company, et al., Civil No. 467.

Furnish to the request centained in your letter of April 30, 1945, there is forwarded herewith check numbered 733,888 in the amount of \$12,033.51 in satisfaction of the judgment entered as to Parents 12-4 and 13-4. The check represents deficiency payment in the amount of \$10,445,00, plus interest at the rate of 66 on the following basis:

- \$ 322.32 on \$10,320.00, from the date of filing of the petition, becomber 11, 1942, to the date of encodement of the petition to take the fee, June 25, 1943.
- \$ 174.19 on \$14,320.00, the total smart, from June 16, 1943 until the date of filling declaration of taking, ingust 21, 2943.

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\$1,092.00 on \$10,445.00, the deficiency, from August 21, 1943 to the prosumed date of deposit of the anchored wheek, May 29, 1945.

Zazrela:	Penesit.	andement.	Deficiency	Interest
12-A and 13-A	\$ 3,875,00	\$ 14,320.00	\$ 10,445,00	\$ 1,588,51

Tours very traly,

ANDREW J. MERTHI, JR. Commander, USHR Head, Roal Estate Division Bureau of Yards and Dooks

Enclosure

DO: Lt. Wilma

Reproduced at the National Archives-Pacific NW Region

HAVEOCKS 327

OHEOK RECEIPT

	29 May 1945
	(Date)
I hereby acknowledge re	ceipt of Check No. 733,888
dated May 25, 1945 drawn	on the Treasurer of the United
States, payable to Clerk of the	ne U.S. District Court for the
Western District of Washington	i .
in the sum of \$12,033.51	, by Commander W. J. McNeil,
Supply Corps, U.S.N.R., Symbol	No50,037 for
deficiency in the case of U.S	5. v. 16.2 acres of land in Tacoma
Washington expansion of Sea	attle-Tacoma Snipbuilding Co.
File No. C49-72-Ta-3	2 2 1 000
File No. <u>C49-72-Ta-3</u>	N. J. Munday
	Name /
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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON

June 2, 1945

I, MILLARD P. THOMAS, Clerk of the United States
District Court for the Western District of Washington,
do hereby certify that I have this 2nd day of June,
1945 received from the Department of Justice, Lands
Division, Treasurer's Check No. 735,888 in the sum
of \$12,035.51, same being deficiency judgment in
the sum of \$10,445.00 plus interest in the sum of
\$1,588.51 in the condemnation proceeding entitled
U. S. v. 15.2 Aeres of Land in Pierce County,
Washington, and Tacoma Harbor Lumber Company, et al.,
Docket 467, Parcels 12-A and 13-A.
IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the official seal of said Court at Tacoma,
Washington, this 2nd day of June, 1945.

S06 26 20

Deputy Clerk

Reproduced at the National Archives-Pacific NW Region

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF WASHINGTON NORTHERN DIVISION

UNITED STATES OF AMERICA,

Petitioner

v -

16.2 Acres of Land in Pierce County, Washington, and Tacoma Habor Lumber Company, et al.,

Respondents

INTERMEDIATE PARTIAL.
TRABEL SCRIPT

NO. 467

Parcol 12-A & 13-A

33-49-405-2

-DEFICIENCY

Communically Citle Bernance Company

W. R. RUST BUILDING TACOMA, WASHINGTON

FRELIMINARY
CERTIFICATE OF TITLE
No. 30220-12-A

Cause No. 467

TO THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 9th day of July, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

TACOMA HARBOR LUMBER COMPANY, a Washington corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIFTY and Ro/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for the use and that of the immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Commonderally Tills Inchesing Company

Your C. Torry

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

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Assistant Secretary

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF PASHIRGTON

Portion of Lot Seven (7), "Ashton's Replat".

Beginning at the intersection of the north—
easterly line of Alexander Avenue as now laid
out by the City of Tacons, and the southeasterly
line of Block 9, "State Land Commissioner's Replat
of Blocks 13 to 48, both inclusive, Tacons Tidelends,
formerly in King County, Meshington," sommonly referred to as 'Ashton's Replat, "thence on said line
of Block 9 North 42-44-24" East 400 feet; thence
parallel to said line of Avenue, South 47-15'36" East
South 42-44-24" West 400 feet to said line of Avenue;
thence north 47-15'36" East 250 feet to the place of
beginning.

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Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record; Or which otherwise may be known actually to exist, but which may not be of record.

- 1. Ceneral taxes for the year 1943, in the original amount of \$38.73, the first helf of which became delinquent June 1, 1943; the second half will become delinquent December 1, 1943, if then unpaid.
- Any unpaid charges for installation of water invice and for water, electric light, power or sever service furnished to sold premises by the City of Tacoma.
- 3. Pendency of action entitled United Statemof America vs.
 Tecoma Harbor Lumber Company, et al, in the United States
 District Court for the Western District of Reshington,
 Southern Division, under Cause No. 467, for the appropriation
 of the within described lands and other property.
- 4. Provisions of Chapter 45 of the session laws of 1939, of the State of Sashington, regulating the use of said lands.

(End of Schedule B)

Communically Tidle Thenacques Company

W. R. RUST BUILDING TACOMA, WASHINGTON

FRELIMINARY CERTIFICATE OF TITLE, No. 30220-13A

To THE UNITED STATES OF AMERICA:

The COMMONWEALTH TITLE INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Washington, with its principal office in the City of Tacoma, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 10th day of 111y, 1943 at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

TACOMA HARBOR LUMBER COMPANY, a Weshington corporation,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of

TWO HUNDRED FIF TY and No/100 --- DOLLARS (\$250.00)

This certificate of title is made in consideration of the payment of the premium by the applicant and for 1ts use immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Communicatific Title Luciusmae Company

Assistant Secretary

FOR VALUE, Washington Title Insurance Company, a Washington corporation, does hereby guarantee the foregoing certificate of title, this guaranty being for the direct benefit of both the issuing company and the parties for whose use it is issued.

Trulio G, Seafreed Assistant Secretary

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

That portion of Lot Seven (7), "State Land Commissioner's Replet of Blooks 13 to 48, both inclusive, Tacoma Tidelands, formerly in King County, Washington" commonly known as "Ashton's Replat" lying southwesterly of Alexander Avenue as now laid out by the City of Tacoma; also all of that portion of Lot Eight (8) in said subdivision lying northeasterly of a line parallel to and 400 feet southwesterly of the southwesterly line of said Alexander Avenue.

न्या सार्यकातास्त्र है।

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title; and all essements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now which may not be of record.

Description

**Descriptio

- 1. General taxes for the year 1943 on said premises and other property, in the original emount of \$56.72, the first half of which became delinquent June 1, 1943, if then unpaid.
- 2. Any unpaid charges for installation of water service and for water, electric light, power or sewer service furnished tosaid premises by the City of Tacors.
- 3. Pendency of action entitled United States of America vs.
 Tucoma Harbor Lumber Company, et al, in the United States
 District Court for the Western District of Weshington,
 Southern Division, under Cause No. 467, for the appropriation
 of the within described lands and other property.
- 4. Provisions of Chapter 45 of the session laws of 1939, of the State of mashington, regulating use of said lands.

(End of Schedule B)